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FITZPATRICK, CELLA, HARPER & SCINTO
277 PARK AVENUE
NEW YORK, NY 10172

R	35.C6297-CON
EXAMINER	
CHIANG, J	

ART UNIT	PAPER NUMBER
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39

2601

DATE MAILED: 07/23/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 5/6/96 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire -3- month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☐ Notice of References Cited by Examiner, PTO-892.
- ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐

Part II SUMMARY OF ACTION

- ☒ Claims 1, 3-6, 9-17 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 1, 3-6, 9-17 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action:
- ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
- ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

EXAMINER'S ACTION

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1. Claims 1, 3, 5, 9-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 22, is "hone" mis-spelled?

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1, 3-6, 9-17 are rejected under 35 U.S.C. § 103 as being unpatentable over Janku in view of Siemens in further view of Rabideau et al.

Janku teaches a communication terminal that provides facsimile transmission and document storage. Janku, however, differs from the claims in that the claims claim means for recognizing image data, means for registering the image data using a memory control means, searching means, display means and

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selecting means. Siemens teaches a telephone handset with an optical eye that reads, recognizes, stores and dials telephone numbers. Even though Siemens fails to teach the recognition and registration of alphabets (names), Siemens does teach some of Janku deficiencies, more specifically, Siemens teaches the claimed recognizing means and registering means. Rabideau et al teaches automatic dialing circuit that includes a display to display a plurality of telephone numbers with associated names. Rabideau et al teaches other deficiencies of Janku, more specifically, searching means, display means and selecting means. In Rabideau, the name and phone number and its associated information can be displayed, and their corresponding data can also be changed in the memory (see col. 4, last paragraph in Rabideau). It would have been obvious to one of ordinary skill in the art to substitute the handset 37 of Janku with the handset of Siemens in order to provide the apparatus taught by Janku the ease, flexibility and convenience of programming telephone numbers. Furthermore, it would have been obvious to one of ordinary skill in the art to provide the combination above of Janku and Siemens with the automatic dialing circuit of Rabideau et al since it would provide optimum usage of the telephone numbers stored in Siemens' "memory bank." Furthermore, the combination of Siemens and Rabideau et al lacks the recognition of alphabets, more specifically as mentioned above, Siemens fails

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to teach that the optical eye recognizes alphabets. The recognition of alphabets by optical readers is well known and widely used and can be easily implemented into any optical reader since it is a programming modification and not a hardware modification, a similar alphabet recognition is in fax, such as shown by Janku. Therefore, it would have been obvious to one of ordinary skill in the art to provide the combination of Janku, Siemens and Rabideau et al., more specifically, Siemens, with optical character recognition (OCR) abilities in order to easily program the telephone numbers and their associated names into the device.

Regarding claim 1, reading means is read on the optical eye 2 of Siemens, the claimed recognizing means and registering means are all inherent since the telephone taught by Siemens is able to recognize and store telephone numbers. The searching means is read on buttons 28 and 60 of Rabideau et al. The display is read on display 26 of figure 1 of Rabideau et al. However, the combination above discloses the display of only the information that has been registered. It would have been obvious to one of ordinary skill in the art to display the data that has been read and to display the information that has been recognized simultaneously in order to provide the user with visual verification to obviate any problems that occur due to optical character recognition.

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Regarding claim 4, Applicant is directed to the arguments on claim 1. The selecting means is read on button 32 of Rabideau et al. The communication control means is read on processors 65 and 67 of figure 2 in Janku. The storage means is read on hard disk 59 of Janku. And the claimed memory control is read on C.P.U. 40 of Rabideau et al since it stores names and their associated phone numbers in an alphabetical order. And the means for correcting and changing data is read on buttons 28 and 62 of Rabidau et al.

With respect to claim 6, Applicant is directed to the arguments on claim 1 and column 3, line 40 to column 4 line 14 of Rabideau et al.

Regarding claims 3, 13, & 16, Applicant is again directed to column 3, line 40 to column 4 line 14 of Rabideau et al.

With respect to claims 5, 9, 14 and 17, Applicant is directed to column 4 lines 16-41 of Rabideau et al.

Regarding claim 10, it is evident from figure 1 of Janku that the handset with the reading means would be on an upper surface of the main body.

Regarding claim 11, it is evident that Rabideau et al uses an LCD.

In reference to claims 12 and 15, Applicant is directed to the arguments of claim 1 with respect to the display means.

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ARGUMENT

3. In response to the remarks, pages 5-11, applicant mainly argues that the references do not teach the display means for displaying the name and number ..., the examiner disagrees, as mentioned in the office action above, the display is taught by the combined reference, such as the display in Rabideau in displaying the name and number.

Applicant also argues about the reading means, such as reading information not including the name and number. As discussed in the office action above, this feature is believed to be an alphabet reading which is well known in telecommunication, such as document reading disclosed by Janku's scanner, therefore, it is obvious to perform recognition of number, name and other image, such as document. Therefore, it is believed that the claimed features of the communication are taught by the combined references.

4. Applicant's arguments filed 5/6/96 have been fully considered but they are not deemed to be persuasive.

5. Applicant's arguments with respect to claims 1, 3-6, 9-17 have been considered but are deemed to be moot in view of the new grounds of rejection.

6. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL.** See M.P.E.P.

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Chiang whose telephone number is (703) 305-4728. The examiner can normally be reached on Monday-Friday from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele, can be reached on (703) 305-4701. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J. Chiang/skf
July 16, 1996

Krista M. Zele
KRISTA M. ZELE
PRIMARY EXAMINER
GROUP 2601